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10 UNITED STATES DISTRICT COURT
11 CENTRAL DISTRICT OF CALIFORNIA WESTERN DIVISION
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13 TRACY CHAPMAN,

14 Plaintiff,

15 vs.

16 ONIKA TANYA MARAJ p/k/a NICKI
17 MINAJ and DOES 1-10,

18 Defendants.
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Case No. 2:18-cv-9088-VAP

Judge: Hon. Virginia A. Phillips

**[PROPOSED] ORDER GRANTING
PLAINTIFF'S MOTION FOR
PARTIAL SUMMARY JUDGMENT**

Hearing Date: September 14, 2020

Hearing Time: 2:00 p.m.

Final Pretrial Conf.: October 5, 2020

Trial Date: October 13, 2020

[Concurrently filed with: 1. Motion for
Summary Judgment; 2. Separate
Statement: and 3. Appendix of Evidence]

[PROPOSED] ORDER

On September 14, 2020, this matter came on for a hearing on Plaintiff Tracy Chapman's ("Chapman") Motion for Partial Summary Judgment against Defendant Onika Tanya Maraj p/k/a Nicki Minaj ("Maraj").

Ms. Chapman moved for partial summary judgment as to the issue of copyright infringement on the grounds that there is no genuine issue as to any material fact regarding Ms. Maraj's actions. Ms. Chapman contends, it is undisputed that Ms. Maraj and her representatives and/or agents made multiple requests to license Ms. Chapman's copyright in her well-known musical composition *Baby Can I Hold You* (the "Composition") for use in Ms. Maraj's recording (featuring Nas) *Sorry* (the "Infringing Work"), which Ms. Maraj created without Ms. Chapman's consent.

Ms. Chapman contends that partial summary judgment regarding copyright infringement is appropriate because: (1) Ms. Maraj infringed Ms. Chapman's Composition by creating the Infringing Work without permission, (2) Ms. Maraj's conduct was willful, (3) Ms. Maraj infringed Ms. Chapman's Composition by distributing the Infringing Work, and (4) Ms. Maraj's conduct was willful.

This Court, having considered the moving, opposition and reply papers, the arguments of counsel, and the evidence submitted by the parties,

IT IS HEREBY ORDERED, ADJUDGED and DECREED:

1. Ms. Maraj infringed on Ms. Chapman's Composition by creating the Infringing Work without permission;

2. Ms. Maraj's conduct was willful;

3. Ms. Maraj infringed on Ms. Chapman's Composition by distributing the Infringing Work; and

4. Ms. Maraj's conduct was willful.

Having granted Plaintiff's Motion, the Court finds the only remaining issue in this litigation is the amount of damages, including fees and costs, to which Ms.

1 Chapman is entitled.

2 **IT IS SO ORDERED.**

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4 Dated: September __, 2020

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Hon. Virginia A. Phillips
6 Chief United States District Judge

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